

REMARKS

This communication is being filed in response to the final Office Action having a mailing date of March 28, 2007. Claim 7 is being canceled herein without prejudice. With this response, claims 1 and 3-6 are pending in the application. It is kindly requested that this response be entered, since said response is being filed to place the application in better condition for appeal and/or no new issues are being presented that would require further search and/or consideration.

The final Office Action rejected claim 7 under 35 U.S.C. § 112, first paragraph for allegedly failing to comply with the written description requirement. The final Office Action indicated that this reason for rejection was based on new matter allegedly being added.

Claim 7 is canceled herein without prejudice, thereby rendering moot the rejections under 35 U.S.C. § 112, first paragraph. It is noted that said cancellation of claim 7 is not an admission that the grounds for rejection under 35 U.S.C. § 112, first paragraph was/is proper, but rather, said cancellation of claim 7 is being done to reduce the number of issues for appeal.

The final Office Action further rejected claims 1 and 3-7 under 35 U.S.C. § 112, first paragraph for allegedly failing to comply with the written enablement requirement, and further rejected claims 1 and 3-7 under 35 U.S.C. § 103(a) on the basis of various references that were previously cited in the prior Office Action. The applicant's prior arguments against said rejections are incorporated herein by reference. It is expected that the applicant's arguments against said rejections will be presented by way of a Notice of Appeal and Appeal Brief that will be filed in due course, in the event that the Examiner chooses herein not to reconsider and withdraw the rejections in view of the applicant's arguments on record.

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

Application No. 10/827,152
Reply to final Office Action dated March 28, 2007

All of the claims remaining in the application are believed to be allowable.
Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,
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